



Ninety-Eighth Legislature - First Session - 2003
Committee Statement
LB 512

Hearing Date: February 20, 2003

Committee On: Judiciary

Introducer(s): (Dw. Pedersen, Mossey, Erdman)

Title: Restrict or prohibit the use of human fetal tissue as prescribed

Roll Call Vote – Final Committee Action:

- X Advanced to General File
 Advanced to General File with Amendments
 Indefinitely Postponed
-

Vote Results:

7	Yes	Senators Brashear, Foley, Mines, Mossey, Pedersen, Quandahl, Tyson
	No	
	Present, not voting	
1	Absent	Senator Chambers

Proponents:

Senator Dwite Pedersen
Annette Wurdeman
Julie Schmit-Albin
Bob Blank
Greg Schleppenbach
Dr. John Safranek

Representing:

Introducer
Self
Nebraska Right to Life
Nebraska United for Life
Nebraska Catholic Conference
Nebraska Coalition for Ethical Research

Opponents:

Gail Linderholm
Nancy Rosen-James
Carol Russell
Sanford Goodman
David Crouse
Gary Scritsmier
Rosalee Yeaworth
Clayton Naff
Robert Haller
Rik Bonness
Rabbi Debbi Stiel
Mark Renner
Drew Miller

Representing:

Self
Self
Nebraskans for Research
Nebraskans for Research
University of Nebraska Medical Center
Self
Self
Self
Academic Freedom Coalition of Nebraska
Self
Self
Self
Self

Neutral:**Representing:**

Summary of purpose and/or changes:

Legislative Bill 512 relates to the use of human fetal tissue by the state and its agencies.

Section 1 states the findings of the Legislature.

Section 2 provides definitions.

“Human fetal tissue” means human fetal tissue, cells, or organs obtained from a living or dead unborn human child.

“Human fetal tissue from an induced abortion” means human fetal tissue obtained from a living or dead unborn child during or after an induced abortion unless it was obtained from an induced abortion prior to the effective date of this act. It does not mean human fetal tissue from a spontaneous abortion or an ectopic pregnancy.

“Use of human fetal tissue from an induced abortion” means any use of human fetal tissue from an induced abortion with the following exceptions:

1. Performance of an abortion;
2. Removal of aborted children from their mothers;
3. Treatment of a living, unborn child;
4. Performance of an autopsy on or pathological testing of a dead, unborn child; and
5. Research dealing with the safety of abortions.

The phrase also means any use of material grown, derived, or cultured from human fetal tissue from an induced abortion unless it was obtained from an abortion induced prior to the effective date of this act.

Section 3 provides that:

1. No employee of the state or its agencies or subdivisions shall, within the scope of his or her employment, use human fetal tissue from an induced abortion.
2. No physical asset owned, leased, or controlled by the state shall be used for the use of human fetal tissue from an induced abortion.

3. No state funds shall be expended for use of human fetal tissue from an induced abortion.

Section 4 states the Attorney General may file an action in district court against those violating section 3 to obtain an injunction against future violations or for civil contempt against those violating an injunction.

Section 5 criminalizes the buying and selling, the donating and accepting of human fetal tissue for valuable consideration. Violation of such would be a Class IV felony.

Explanation of amendments, if any:

Senator Kermit A. Brashear, Chairperson